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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 RICHARD HODGES,

No. 2:04-cv-02087-MCE-KJM P

12 Petitioner,

13 vs.

ORDER

14 DAVID RUNNELS,

15 Respondent.
16 _____/

17 Petitioner, a California prisoner proceeding through counsel, has filed this application for
18 a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States
19 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

20 On March 14, 2008, the magistrate judge filed findings and recommendations herein
21 which were served on all parties and which contained notice to all parties that any objections to
22 the findings and recommendations were to be filed within twenty days. Petitioner has filed
23 objections to the findings and recommendations.

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1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-304,
2 this court has conducted a de novo review of this case. Having carefully reviewed the entire
3 file, the court finds the findings and recommendations to be supported by the record and by
4 proper analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations (Docket No. 33), are adopted in full;
7 2. Petitioner's request that the court hold an evidentiary hearing is denied; and
8 2. Petitioner's application for a writ of habeas corpus is denied.

9 Dated: May 27, 2008

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11 MORRISON C. ENGLAND, JR.
12 UNITED STATES DISTRICT JUDGE
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